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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 09-01119 JW
14 Plaintiff,)
15 v.)
16 TELMAN A. YAYMADZHYAN,)
17 Defendant.)
18 _____)

James J. Hickey
STIPULATION AND [PROPOSED] ORDER TO CONTINUE STATUS HEARING AND TO EXCLUDE TIME FROM OCTOBER 18, 2010, THROUGH NOVEMBER 15, 2010, FROM THE SPEEDY TRIAL ACT CALCULATION (18 U.S.C. § 3161(h)(7)(A),(B))

19
20 A status hearing is set in this matter for October 18, 2010. The parties are seeking to
21 continue the hearing for defendant Telman A. Yaymadzhyan to November 15, 2010, in order to
22 allow defense counsel the opportunity to complete his review of the materials made available to
23 him in the discovery process, and to reach a pre-trial resolution with the government of the
24 pending criminal matter. The parties have agreed to stipulate to an exclusion of time under the
25 Speedy Trial Act to allow counsel for defendant reasonable time for effective preparation.

26 The United States hereby submits this written request for an order finding that said time
27 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served
28 by taking such action and outweigh the best interests of the public and defendant in a speedy

1 trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would
2 unreasonably deny counsel for defendant the reasonable time necessary for effective preparation,
3 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

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5 DATED: October 14, 2010

MELINDA HAAG
United States Attorney

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7 EUMI L. CHOI /s/ _____
8 Assistant United States Attorney

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10 FRED MINASSIAN, ESQ. /s/
11 Counsel for Defendant

12 **ORDER**

13 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY
14 ORDERS that the time between October 18, 2010, through November 15, 2010, is excluded
15 under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served
16 by taking such action and outweigh the best interests of the public and defendant in a speedy
17 trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would
18 unreasonably deny counsel for defendant the reasonable time necessary for effective preparation,
19 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court
20 therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(7)(A)
21 and (B)(iv).

22

23 IT IS SO ORDERED.

24

25 DATED: October 14, 2010


26 JAMES WARE _____
27 UNITED STATES DISTRICT COURT JUDGE
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